



Iowa Department of Transportation

800 Lincoln Way, Ames, IA 50010

515-239-1111

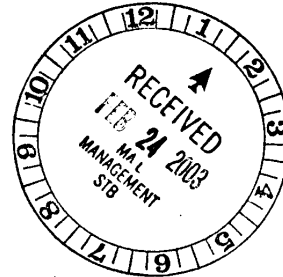
FAX: 515-239-1639

February 21, 2003

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Public Record

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, D.C. 20423

Re: Union Pacific Abandonment, Boone and Dallas Counties in Iowa
Docket # AB-33 (Sub-187X)

Dear Secretary Williams:

On January 13, 2003, the Surface Transportation Board (STB) exempted the abandonment by Union Pacific Railroad (UP) of the line between Slater and Woodward in Boone and Dallas counties in Iowa subject to certain conditions. One condition was that UP "...leave intact all of the right-of-way including tracks, ties and signal equipment..." The Iowa Department of Transportation requests the STB to modify its order to allow the removal of tracks and ties at rail/highway at-grade crossings under the condition that if rail traffic of any type returns to this line through negotiations for public use or through the provision of an offer of financial assistance, the highway agency will restore the crossing for rail use.

The line from Woodward to Slater has two primary highway-rail crossings, at Iowa Highway 210 east of Madrid and Iowa Highway 17 in Madrid, that are currently in need of surface repair and improvement to ensure safety and ride smoothness for highway users. There are nine other rail-highway crossings along the line under the jurisdiction of county and municipal governments. Improvement or removal of these crossings has been impacted pending the outcome of the abandonment process and negotiations between the railroad and interested parties for interim trail or public use.

Under similar abandonment proceedings, the STB typically allows a railroad to remove track and ties but leave in place bridges, trestles and structures while negotiations take place for interim trail use. However, in this proceeding, a Commenter representing various trails and public use interests requested that track and ties remain in place for potential rail use, and STB granted the request.

Interested parties were given 180 days from the date of the order to negotiate with the railroad for the acquisition of the line for public use. Our experience in Iowa indicates the negotiations take longer than 180 days, and extensions of the 180-day period are usually granted by the STB, if agreed to by the parties involved. Some negotiations have been on-going for more than two years with extensions granted regularly. We expect a similar process for this proceeding.

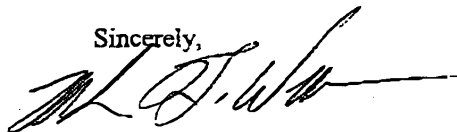
Vernon Williams
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Because the process may take some time, there is uncertainty as to the type of improvement and repair to be made to the crossings. If the outcome of the negotiations is to keep the tracks in place for some type of rail use, then the improvement would be to repair the crossing. If the outcome of the negotiations is not for continued rail use, then the improvement would be to remove the crossing. In either case, the crossing needs to have treatment now without waiting for the outcome of the negotiations.

I request the STB modify its previous order and allow highway agencies (the Iowa Department of Transportation, the Boone and Dallas county highway departments and municipal highway agents), to remove the tracks, ties and otherwise make surface improvements at the crossings, with the stipulation that the rail crossing will be restored by the highway agency if the negotiations between the UP and interested parties result in the continuation or restoration of some type of rail service. Removal of the tracks and ties through the crossings would be done at the discretion of the highway agency in cooperation and agreement with the UP.

With this letter, I certify that notice was provided to the attached list by first class mail.

Sincerely,



Mark F. Wandro
Director

MFW:et

Enclosure

bcc: N Volmer / P Burr / J Hey / M Christy / ET

Certificate of Service

The above letter has been served upon the following on February 21, 2003, via first class mail.

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Dallas County Conservation Board
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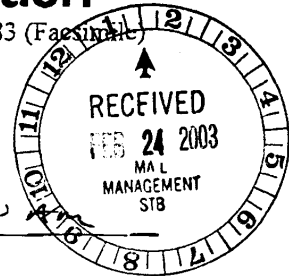
Tom Neenan, Executive Director
Iowa Trails Council
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**Iowa Department of Transportation**

Modal Division, 800 Lincoln Way, Ames, IA 50010

515/233-7983 (Facsimile)

Date: 2-24-03Time: 11:30 AMTO: STB - Office of ProceedingsFROM: J. Hoy - Iowa DOT
515-239-1653Number of pages sent (not including this page): 3

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